IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 4073 OF 2005
IN
APPEAL LODG. NO. 803 OF 2005
IN
SUIT NO. 974 OF 1983

G.N. Sainani.] .. Appellant (Ori.Plaintiff)

Versus

The New India Assurance Co.Ltd. & Anr.] .. Respondents (Ori.Defendants)

Mr. N.K. Mudnaney for the applicant.

Mr. K.J. Presswala i/b M/s. Mulla & Mulla and Cragie Blunt & Caroe for the respondents.

CORAM: R.M. LODHA &
ANOOP V. MOHTA, JJ.

DATED: 20TH JANUARY, 2006

P.C. :

. Heard.

2. For the reasons stated in support of the Notice of Motion, we are satisfied that the appellant was prevented by sufficient cause in filing the Appeal belatedly. The delay of three days is sufficiently explained.

3. We accordingly condone the delay.

4. Office is directed to process the Appeal and post it for admission as soon as numbered.

5. Notice of Motion stands disposed of.

[R.M. LODHA, J.]

[ANOOP V. MOHTA, J.]

[srpasha@hc]